



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen Gorsen, Director  
8800 Cal Center Drive,  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

January 4, 2008

Mr. Philip C. Perley  
Closed Sites Project Manager  
Chemical Waste Management, Inc.  
9081 Tujunga Avenue  
Sun Valley, CA 91352

### REQUEST FOR FURTHER STAY OF THE PERMIT APPEAL – CHEMICAL WASTE MANAGEMENT – BAKERSFIELD, POST-CLOSURE PERMIT (CAT000624056)

Dear Mr. Perley:

The Department of Toxic Substances Control (DTSC) has received your letters of December 11 and December 14, 2007, addressed to Mr. Wade Cornwell. Among other things, the former letter requested a further extension, to June 30, 2008, of the stay of the appeal proceeding of the Petition for Review (Petition) of DTSC's final permit decision issued on June 19, 2007, concerning this facility. The December 14 letter transmitted a document titled "CWM Bakersfield Waste-In Report" dated December, 2007.

Previously, DTSC had received your letter of July 19, 2007 requesting a stay and, by letter dated August 20, 2007, DTSC indicated review of the Petition would commence on October 18, 2007, unless a request to extend the stay of the appeal proceeding based on good cause were granted. You requested a further stay by letter dated September 13, 2007 and, by letter dated October 18, 2007, DTSC granted a second stay of this appeal proceeding until December 18, 2007.

DTSC's letter of October 18 did not countenance a further extension of the stay. Though we understand that you are working diligently with the permit issuing program to resolve some of the issues included in your Petition, we find no basis in fact or regulation to continue the stay of review. Accordingly, DTSC denies your request for a continued stay of review and has commenced review of the Petition.

If you have any questions or require additional information about the permit appeal process and procedures, you may refer to our letter of August 20, 2007, or contact Mr. John Bystra of my staff at (916) 255-3669, or [jbystra@dtsc.ca.gov](mailto:jbystra@dtsc.ca.gov).

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For questions or substantive information about current permit requirements and/or the proposed new Permit, please feel free to contact Mr. Scott Ward in our Sacramento office at (916) 255-3581 or [sward@dtsc.ca.gov](mailto:sward@dtsc.ca.gov) or his supervisor Mr. Wade Cornwell at (916) 255-3573 or [wcornwel@dtsc.ca.gov](mailto:wcornwel@dtsc.ca.gov).

Sincerely,

//original signed by//

Mr. Mohinder S. Sandhu, P.E., Chief  
Standardized Permitting and Corrective Action Branch  
Hazardous Waste Management Program

cc: via e-mail:

Mr. Watson Gin, P.E.  
Deputy Director  
Hazardous Waste Management Program  
1001 "I" Street, 11<sup>th</sup> Floor  
P.O. Box 806  
Sacramento, California 95812-0806

Mr. Richard Sherwood  
Assistant Chief Counsel  
Office of Legal Affairs  
Department of Toxic Substances Control  
1001 "I" Street, 23<sup>rd</sup> Floor  
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Mr. Richard E. Driscoll  
Staff Counsel  
Office of Legal Affairs  
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Ms. Yolanda Garza  
Acting Chief  
Public Participation Program  
Department of Toxic Substances Control  
1011 N. Grandview Avenue, 1<sup>st</sup> Floor  
Glendale, California 91201

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cc: via e-mail (continued):

Mr. James Pappas, Chief  
Northern California Permitting and Corrective Action Branch  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
8800 Cal Center Drive, R1-2  
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Mr. Wade Cornwell  
Northern California Permitting and Corrective Action Branch  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
8800 Cal Center Drive, R1-2  
Sacramento, California 95826-3200

Mr. Scott Ward  
Northern California Permitting and Corrective Action Branch  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
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Mr. Rizgar Ghazi, P.E., Unit Chief  
Standardized Permitting and Corrective Action Branch  
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8800 Cal Center Drive, R1-2  
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Mr. John Bystra  
Hazardous Substances Engineer  
Standardized Permitting and Corrective Action Branch  
Department of Toxic Substances Control  
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